

## **SECOND/THIRD READING SUMMARY SHEET**

**ZONING CASE NUMBER:** C814-97-0001.05 (Leander Rehabilitation PUD Amendment #6)

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as North F.M. 620 Road from PUD, Planned Unit Development District, zoning to PUD, Planned Unit Development District, zoning.

The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan and Exhibit E to include additional notes to clarify conditions to permit the following: to allow the impervious cover for the areas CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16 to be allocated and calculated on an overall basis; to clarify that the building structure for live-work units is in a townhouse type of building and to allow the Mixed Use development standards to be utilized; to revise lot width and reduce setbacks for single family and townhouse lots with detached structures; to clarify that roadways may be designed with the TND design standards, with modifications to Staked Plains Drive; and to reduce the Open Space Easement (OSE) from 35 feet to 20 feet at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive (along parcels CRE-5 and CRE-10).

**Conditions:**

- The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".
- The applicant shall provide an impervious cover tracking mechanism that the Watershed Protection and Development Review Department approves.
- The applicant shall comply with conditions for green building and water conservation measures for parcels CRE 1, 2, 3, 5, 10, 11, 12, and 16 as stated in a letter from the applicant to the Director of Neighborhood Planning and Zoning Department, Greg Guernsey, dated February 29, 2008 (Attachment F).

The Ordinance and public restrictive covenant reflect those conditions imposed by Council on 1<sup>st</sup> reading.

**PROPERTY OWNER:** Pacific Summit Partners

**AGENT:** Armbrust & Brown, L.L.P. (David Armbrust)

**DATE OF FIRST READING/VOTE:**

March 6, 2008 / Approved 1<sup>st</sup> reading of the case on consent, with additional conditions regarding Green Building as read into the record (7-0)

**CITY COUNCIL DATE:** March 27, 2008

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Sirwaitis **PHONE:** 974-3057, sherri.sirwaitis@ci.austin.tx.us

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C814-97-0001.05

**P.C. DATE:** February 26, 2008

**ADDRESS:** North F.M. 620

**APPLICANT/OWNER:** Pacific Summit Partners

**AGENT:** Armbrust & Brown, L.L.P.  
(David Armbrust)

**ZONING FROM:** PUD

**TO:** PUD

**AREA:** 446.40 acres

The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan and Exhibit E to include additional notes to clarify conditions to permit the following: to allow the impervious cover for the areas CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16 to be allocated and calculated on an overall basis; to clarify that the building structure for live-work units is in a townhouse type of building and to allow the Mixed Use development standards to be utilized; to revise lot width and reduce setbacks for single family and townhouse lots with detached structures; to clarify that roadways may be designed with the TND design standards, with modifications to Staked Plains Drive; and to reduce the Open Space Easement (OSE) from 35 feet to 20 feet at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive (along parcels CRE-5 and CRE-10).

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommends the proposed amendment to the Leander Rehabilitation PUD, with the following conditions:

- The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".
- The applicant shall provide an impervious cover tracking mechanism that the Watershed Protection and Development Review Department approves.

### **PLANNING COMMISSION RECOMMENDATION:**

2/26/08: Approved the PUD amendment by consent (7-0, P. Cavazos-arrived late); J. Reddy-1<sup>st</sup>, T. Atkins-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is undeveloped and moderately vegetated. To the north of the site there are single-family residential uses under development within the Avery Ranch PUD. The property to the east is bounded by the Southern Pacific Railroad and consists of the recently approved Lakeline Station PUD, which is currently undeveloped agricultural land. There are research and development facilities and a greenbelt to the southeast along Spectrum Drive and single family residences along Rutledge Spur. To the west of the there are state offices for the Texas Department of Transportation (TXDOT), office uses under development at the southeast corner of Lakeline Boulevard and North Lake Creek Parkway, and undeveloped tracts of land along North Lake Creek Parkway. The property to the south of the PUD is right-of-way area that was recently expanded for the S.H. 45 Westbound tollway (North F.M. 620 Road).

In the original application that was filed for this case on May 24, 2007, the applicant requested an administrative amendment in which they proposed changes to the transportation network within the northern part of the PUD. This request was made in response to roadway alignment issues that arose a part of the preliminary plan approval process for this property. The staff administratively approved the realignment of Lyndhurst Drive and Northwoods Circle (which will become Northwoods Drive) and the addition of Knightsbridge Way and Staked Plains Drive. However, in an update submitted to the staff by the applicant on November 6, 2007, the applicant decided to modify the PUD amendment request and this application became a formal request that requires Planning Commission and City Council approval.

In the proposed PUD amendment the applicant is asking to revise conditions as they apply to only parcels CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16, which are located in the northeastern corner of the PUD to the north of Lakeline Boulevard (Please see the Request Letter from the Applicant – Attachment A). The applicant would like to “bucket” or allow the impervious cover to be allocated and calculated on an overall basis for these specific areas within the PUD. This transfer of impervious cover within these parcels of the PUD will allow the applicant to develop some parcels with more impervious cover while balancing less impervious cover on other parcels, without exceeding the overall impervious cover limit of 65-75% for the PUD. In addition, the applicant would like to revise lot width and reduce setbacks for single family and townhouse lots with detached structures and to clarify that roadways may be designed with the Traditional Neighborhood District (TND) design standards. The applicant proposes these changes so that they may develop residential units with a TND like feel. Therefore, the single family residences will be located in closer proximity with access that is provided through alley ways. The State Orders for the Leander Rehabilitation PUD permit the applicant to adopt City of Austin TND site development standards outright. However, the applicant is requesting further reductions to incorporate “New Urbanist” planning principles adjacent to the Northwest Park & Ride Town Center Transit Oriented Development (TOD) District. Finally, the applicant is asking to reduce the Open Space Easement (OSE) from 35 feet to 20 feet at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive. The applicant has stated that the proposed reduction in the OSE area at this location will allow them to create a more urban design of roadway near the TOD station site.

The staff recommends the applicant’s request to revise the PUD Land Use Plan and to add an Exhibit E.1 to the First State Order for the PUD (DOC# 9802790). The new Exhibit E.1 will allow the applicant to further define the development standards for commercial, industrial, office, multi-family residential, and mixed use and will add a category for SF-4 and SF-5 development within the PUD. This Development Standards table was administratively approved by the Texas General Land Office on November 20, 2006. These proposed changes will permit the applicant to utilize SF-4 and SF-5 development standards, to utilize reduced TND type setbacks with alley access, and to construct a greater density of residential housing opportunities with TND characteristics near a TOD center. The staff also recommends the applicant’s request to allow impervious cover to be allocated and calculated on an overall basis for specific parcels in the PUD. The proposed impervious cover “bucket” will allow the applicant to increase impervious cover for the “All Other Residential” category, while maintaining a lower overall all impervious cover of 58% for this area of the PUD. This request is consistent with similar conditions that were approved in the Avery Ranch PUD and the Lakeline PUD located adjacent to this site. Finally, the staff recommends that the applicant’s request to reduce the OSE easement area at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive. The proposed reduction in the OSE will allow the applicant to bring buildings in this area closer to the street, thereby more closely conforming with Commercial Design Standards.

The applicant agrees with the staff's recommendation for this case.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>                                  | <b>LAND USES</b>  |
|--------------|--|---|
| <i>Site</i>  | PUD (Leander Rehabilitation PUD)               | Undeveloped   |
| <i>North</i> | PUD (Avery Ranch PUD)                          | Undeveloped   |
| <i>South</i> | ROW, GR, MF-3, LO, GR-CO, GR-CO, RR, GR-CO, LR | Recently Expanded S.H. 45 Westbound Toll Road (North F.M. 620), Retail, Multifamily Uses, Office (State Farm Insurance), Undeveloped Tract, Vacant Uses (Penzoil Lube Center, Shell Service Station and Car Wash), Undeveloped Tracts, Vacant Convenience Store |
| <i>East</i>  | PUD (Lakeline PUD), I-RR                       | Undeveloped   |
| <i>West</i>  | I-RR, CS-MU-CO, GR-MU, GR, LO                  | Texas Department of Transportation Cedar Park Campus, Developing Office Uses, Undeveloped Tracts  |

**TOD DISTRICT:** Northwest Park and Ride  
Town Center TOD

**TIA:** Not required – within the area  
covered by Senate Bill 1396

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

485 – Riviera Springs Community Development Association  
604 – Davis Spring HOA  
690 – Avery Ranch Owners Association, Inc.  
701 – Avery Ranch Neighborhood Association

**SCHOOLS:**

This property is within the Round Rock Independent School District.

**CASE HISTORIES:**

| <b>NUMBER</b> | <b>REQUEST</b> | <b>COMMISSION</b>   | <b>CITY COUNCIL</b>  |
|---------------|----------------|---|--|
| C14-2007-0218 | GR-MU to MF-4  | 11/20/07: Approved MF-4-CO zoning, limit the property to MF-3 density regulations/36 units per acre (7-0, S. Hale-absent, T. Rabago-left early) | 12/13/07: Approved MF-4 district zoning(6-0, McCracken-off dias); 1 <sup>st</sup> reading<br><br>1/31/08: Approved MF-4 by consent on 2 <sup>nd</sup> reading, with additional condition for staff to incorporate green building |

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|                                     |  |  | restrictions offered by applicant into appropriate documents before 3 <sup>rd</sup> reading (7-0)   |
| C814-06-0218 – Lakeline Station PUD | I-RR to PUD  | 8/14/07: Approved applicant's request for PUD zoning (7-0, C. Galindo-absent)  | 10/11/07: Approved PUD zoning, with the amendment from Council Member Leffingwell to incorporate all the conditions outlined in the letter from David B. Armbrust dated October 11, 2007 re: Lakeline Station Area Plan/Planned Unit Development C814-06-0218 (7-0); all 3 readings |
| C14-85-366(RCA2)                    | To amend the restrictive covenant to remove lots 9 and 10 from any limits or restrictions. | 10/16/07: Approved staff's recommendation to amend the restrictive covenant by consent (6-0, C. Hammond, J. Gohil-absent)  | 11/29/07: Approved RCA by consent (6-0, Cole-off dais)  |
| C14-04-0166                         | GO to CS   | 06/21/05: Approved CS-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent)    | 7/28/05: Approved CS-CO on all 3 readings (7-0)   |
| C14-04-0165                         | GR to CS   | 06/21/05: Approved CS-MU-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent) | 7/28/05: Approved CS-MU-CO on all 3 readings (7-0)  |
| C14-04-0164                         | GO to CS   | 06/21/05: Approved CS-MU-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent) | 7/28/05: Approved CS-MU-CO on all 3 readings (7-0)  |

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|-------------|------------------|--|--|
| C14-02-0160 | I-RR, SF-2 to GR | 11/12/02: Approved staff's recommendation of GR-CO zoning with additional conditions (as agreed to by the Neighborhood and the Applicant) prohibiting the following uses:<br>Automotive Rentals, Automotive Repair Services, Automotive Washing (of any type), Consumer Convenience Services, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Custom Manufacturing, Urban Farm, Club or Lodge, Community Recreation (Private), Community Recreation (Public), Congregate Living, Cultural Services, Guidance Services, Residential Treatment, Telecommunication Towers;by consent (6-0, A. Adams, J. Gohil-absent) | 12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 on 1 <sup>st</sup> reading (7-0)<br><br>12/12/03: Administrative-Case expired per Section 25-2-249(B), no 3 <sup>rd</sup> reading occurred |
| C14-01-0173 | DR to GR         | 1/15/02: Approved GR-CO zoning, with a condition prohibiting pawn shop services, by consent (8-0, K. Jackson-absent)   | 2/14/02: Approved GR-CO on 3 readings (7-0)  |
| C14-00-2094 | DR to GR         | 7/11/00: Approved staff rec. of GR by consent (7-0)  | 8/17/00: Approved GR on 1 <sup>st</sup> reading (6-0, Goodman-absent)<br><br>8/31/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (6-0, KW-absent)  |
| C14-00-2148 | GO to GR         | 8/15/00: Approved staff rec. of GR by consent (7-2, RC/JM-Nay)   | 9/28/00: Approved GR (7-0); all 3 readings   |

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| C14-00-2107                                    | MF-3 to GO   | 8/29/00: Approved staff rec. of GO by consent (7-1, RC-Nay)  | 9/7/00: Approved GO on 1 <sup>st</sup> reading only (7-0)<br><br>12/14/00: Approved GO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings                                   |
| C14-99-2110                                    | DR, SF-2 to CS   | 3/28/00: Approved staff rec. of GR by consent (5-0)  | 5/18/00: Approved PC rec. of GR (6-0, Lewis-absent); all 3 readings   |
| C14-99-0090                                    | R&D to LI  | 7/27/99: To Grant IP for Tract 1 and IP-CO for Tract 2   | 8/26/99: Approved PC rec. of IP for Tract 1 and IP-CO for Tract 2 (7-0); 1 <sup>st</sup> reading<br><br>9/30/99: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0) |
| C814-99-0001.06 - Avery Ranch PUD Amendment #6 | To amend the PUD to split Tract I-C into two tracts, Tracts I-C and I-C-I, to permit the development of an elevated water storage tank on Tract I-C-I, o waive Compatibility Standards that apply to this tract under Section 25-2-1063 to allow a tank of 200 feet in height to be located within 123 feet of a proposed single-family subdivision, and to amend the Land Use table for the PUD as it pertains to Tract I-D to release this tract from reservation as a "civic site". | 12/04/07: Approved staff's recommendation for the PUD amendment by consent (8-0)                           | 1/10/08: Approved PUD amendment (7-0)   |
| C814-99-0001.05 - Avery Ranch PUD Amendment #5 | To amend the PUD to rezone 14.694 acres of land from I-RR to PUD to be incorporated into Tracts III-G and III-H of the Avery Ranch Planned Unit Development (PUD) and to amend the Avery Ranch PUD Land Use Table to permit Village Center Residential (VCR) uses, Service Station use, Liquor Sales use (not to exceed 6,000 square feet  | 4/04/06: Approved staff's recommendation for PUD amendment by consent (7-0, T. Rabago, J. Pinnelli-absent) | 5/18/06: Approved PUD amendment by consent (7-0); all 3 readings  |

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|  | and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.  |  |   |
| C814-99-0001.04 – Avery Ranch PUD Amendment #4 | To amend the PUD permitted use table for Tract II-B and Tract III-F2 to permit a Liquor Sales use on each tract that will not exceed 6,000 square feet and prohibiting Cocktail Lounge uses on these tracts within the PUD.  | 9/06/05: Approved staff's recommendation of PUD zoning by consent (9-0)  | 10/06/05: Approved PUD amendment by consent (7-0); 1 <sup>st</sup> reading<br><br>1/12/06: Approved PUD amendment to allow additional permitted uses (6-0, D. Thomas-absent); 2 <sup>nd</sup> /3 <sup>rd</sup> readings |
| C814-99-0001.03 – Avery Ranch PUD Amendment #3 | To amend the PUD revise Exhibit "H" of the PUD, the Open Space, Parks, and Trails Plan to make changes to the alignment of the trail layout in the approved parkland areas, to relocate a proposed neighborhood park from the east side of Parmer Lane (currently shown on Tract III-D) to the west side of Parmer Lane (now shown on Tract I-C) along Avery Ranch Boulevard, and to add a Round Rock Independent School District tract and a Leander Independent School District tract of land to the PUD Land Use Plan. In addition, the applicant would like to clarify that future city parkland can first be conveyed to a third party trustee (non-profit entity approved by the Parks and Recreation Department), for the purpose of facilitating grant applications, as long as the conveyance requires re-conveyance to the City or to another City approved governmental | 9/21/04: Approved staff's recommendation of PUD amendment by consent (7-0, K. Jackson-off dias, J. Gohil-absent) | 1/12/06: Approved PUD amendment by consent (6-0, D. Thomas-absent); all 3 readings  |



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|   | entity for public park use no later than January 1, 2006.   |  |   |
| C814-99-0001.02 – Avery Ranch PUD Amendment #2            | To amend the PUD to remove a condition in the Avery Ranch PUD ordinance that states, “If 50 percent or more of the single family lots in the PUD have a lot size of 6,300 square feet or greater, the maximum impervious cover for commercial development within the PUD shall be limited to 60 percent of the net site area of the commercial lots.” and to amend the permitted use table for Tract II-B to allow a 4,250 square foot building footprint for a Laundry Services use. | 1/28/03: Approved staff’s recommendation of PUD zoning (6-0, J. Martinez, K. Jackson-off dias)   | 2/27/03: Granted PUD zoning as rec. by the ZAP Commission on 1 <sup>st</sup> reading (6-0, Goodman-off dias)<br>4/24/03: Approved PUD (6-0, Garcia-off dias); 2 <sup>nd</sup> /3 <sup>rd</sup> readings |
| C814-99-0001.01 – Avery Ranch PUD Amendment #1            | To amend the PUD to include Service Stations as a permitted use for Parcel III-F2   | 6/18/02: Posponed to 7/16/02 by the applicant (8-0, A. Adams-absent)<br><br>7/16/02: Postponed to 7/30/02 by the staff for re-notification purposes (6-0, M. Casias/ D. Castaneda/ K. Jackson-absent)<br><br>7/30/02: Postponed to 9/10/02 by the applicant and neighborhood (6-0, V. Aldridge-absent)<br><br>9/10/02: Approved staff’s recommendation for PUD zoning; by consent (6-0, D. Castaneda-absent) | 10/10/02: Granted PUD on 1st reading (7-0)<br><br>1/30/03: Approved PUD amendment (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings  |
| C814-97-0001.01 – Leander Rehabilitation PUD Amendment #2 | PUD to PUD  | 4/08/05: Staff approved an administrative amendment to the PUD for a land use change from the ECO to the COR designation on Lot 3, Block A of the Leander Rehabilitation PUD   | N/A   |

|   |                             |   |   |
|---|-----------------------------|---|---|
| C814-97-0001 –<br>Leander<br>Rehabilitation PUD | I-RR to PUD                 | 9/30/97: To Grant PUD<br>with conditions  | 11/20/97: Denied PUD<br>zoning because it does<br>not conform to purpose<br>and is not a superior<br>development (7-0)<br>(Note: By Orders of the<br>Special Board of Review,<br>the State overrode the<br>City Council's action and<br>approved PUD zoning on<br>7/01/99). |
| C14-99-0023                                     | LR; MF-1 to GR; MF-3-<br>CO | 3/16/99: To Grant MF-3-<br>CO with CO limit of 55%<br>impervious cover            | 4/15/99: LR tract<br>withdrawn; Approved<br>MF-3-CO with conditions<br>for Tract 2  |
| C14-98-0266                                     | DR to GR                    | 3/2/99: Approved GR by<br>consent (8-0)   | 12/2/99: Approved PC<br>rec. of GR (6-0, WL-<br>absent); 1 <sup>st</sup> reading<br><br>5/24/01: Approved GR<br>(6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings  |
| C14-98-0253                                     | MF-3 to GR                  | 4/13/99: Approved staff<br>rec. of GR (7-0); also<br>approved MGA for 10<br>years | 5/13/99: Approved PC<br>rec. of GR (7-0); 1 <sup>st</sup><br>reading<br><br>6/03/99: Approved GR<br>(7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings  |

**RELATED CASES:** C814-97-0001 (Leander Rehabilitation PUD)

**ABUTTING STREETS:**

| STREET        | RIGHT-<br>OF-WAY | PAVEMENT<br>WIDTH | CLASSIFICATION                                     | DAILY<br>TRAFFIC |
|---------------|------------------|-------------------|--|------------------|
| FM 620 N      | ~440'            | N/A               | MAU 4 (existing, but<br>2025 plan proposes<br>FWY) | N/A              |
| Rutledge Spur | 50'              | varies            | Collector  | N/A              |

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057  
sherri.sirwaitis@ci.austin.tx.us

**CITY COUNCIL DATE:** March 6, 2008

**ACTION:** Approved 1<sup>st</sup> reading of the  
case on consent, with additional  
conditions regarding Green Building as  
read into the record (7-0)

March 27, 2008

**ACTION:**

**ORDINANCE READINGS: 1<sup>st</sup>**

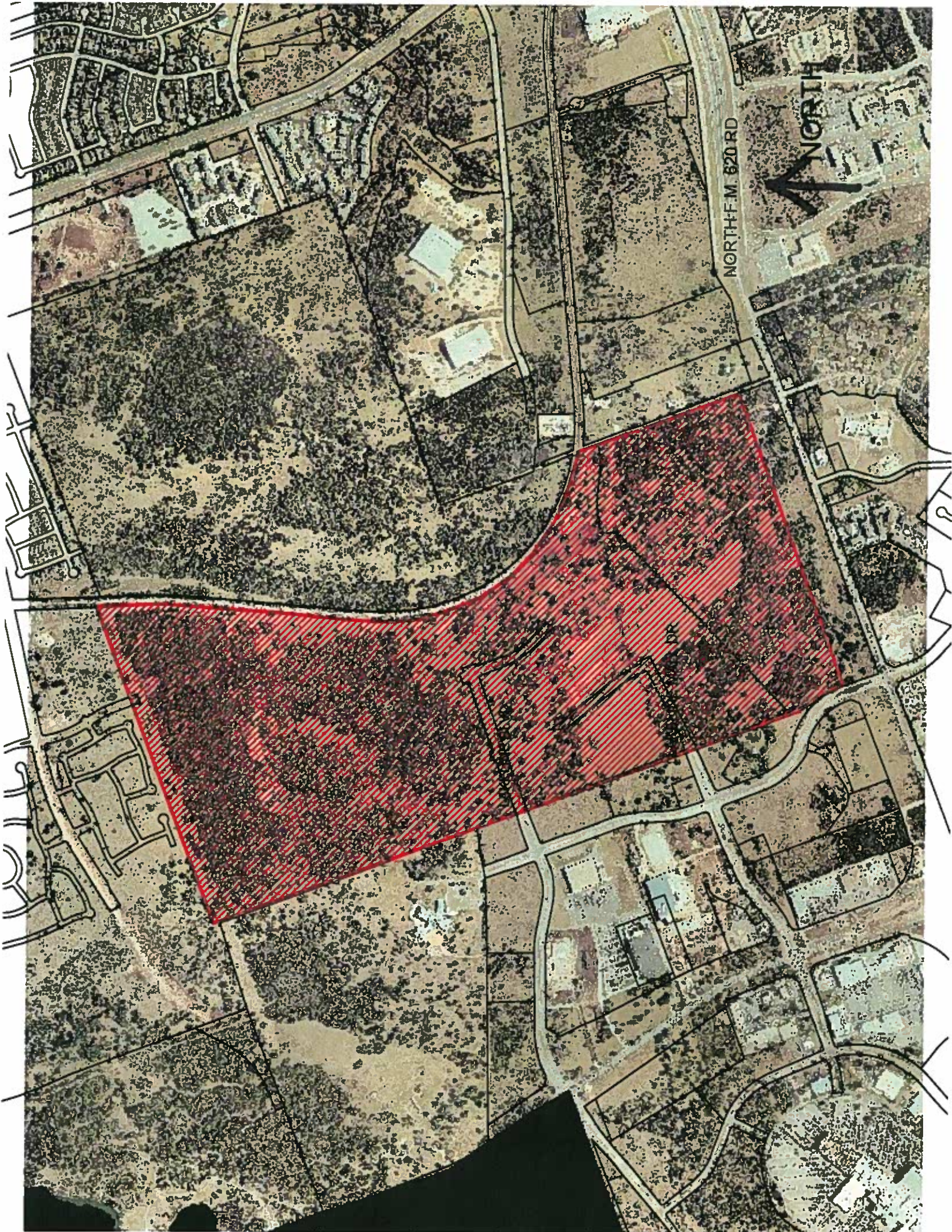
**2<sup>nd</sup>**

**3<sup>rd</sup>**

**ORDINANCE NUMBER:**







NORTH F.M. 620 RD

NORTH



## STAFF RECOMMENDATION

The staff's recommends the proposed amendment to the Leaner Rehabilitation PUD, with the following conditions:

- The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".
- The applicant shall provide an impervious cover tracking mechanism that the Watershed Protection and Development Review Department approves.

## BASIS FOR RECOMMENDATION

1. *The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The proposed amendment to the Leander Rehabilitation PUD will revise Exhibit E of the First State Order, to create a new Exhibit E.1 that will further define the development standards for commercial, industrial, office, multi-family residential, and mixed use and will add a category for SF-4 and SF-5 development within the PUD. These proposed changes will permit the applicant to utilize SF-4 and SF-5 development standards, to utilize reduced TND type setbacks with alley access, and to construct a greater density of residential housing opportunities with TND characteristics in the Transition Zone near the Northwest Park & Ride Town Center TOD District.

In addition, the request for an impervious cover "bucket" will allow the applicant to increase impervious cover for the "All Other Residential" category of the PUD, while maintaining a lower overall all impervious cover of 58% within this area of the PUD. This request is consistent with the conditions that allowed for the impervious cover allocation and calculation on an overall basis in the Avery Ranch PUD and the Lakeline PUD, which are located adjacent to this site.

Finally, the proposed reduction in the OSE easement area at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive will allow the applicant to bring buildings in this area closer to the street, thereby more closely conforming with Commercial Design Standards.

### Existing Land Use

The property in question is part of an existing PUD that consists of 446.40 acres of land located to the north of the recently expanded S.H. 45 Westbound Toll Road (North F.M. 620). The site is bounded by the Avery Ranch PUD to the north, the Southern Pacific Railroad and Rutledge Spur Road to the east, the S.H. 45 Westbound Toll Road (North F.M. 620 Road) to the south, and the Texas Department of Transportation Cedar Park Campus, developing office uses, and undeveloped Tracts along North Lake Creek Parkway to the west. The parcels under consideration are currently undeveloped.

### **Drainage Construction**

Comments cleared. Adequate drainage easements dedicated to detention and water quality will be sized to the city standard at the preliminary stage of development.

### **Electric**

FYI: The area of this project located north of Lakeline Boulevard is within PEC's service territory while the area to the south will be served by Austin Energy.

FYI: Any relocation of electric facilities shall be at the expense of the developer.

### **Environmental**

Comments cleared.

### **Impervious Cover**

This project is located at NFM 620 RD and is within the South Brushy Creek watershed(s), which are classified as Suburban Watershed. This project is located within the Edwards Aquifer Contributing Zone.

The applicant has requested to share the overall impervious cover over parcels CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16 within the PUD. Currently, there is no final plat for any portion of this property. The original Leander Rehabilitation PUD was approved in 1998 and included a preliminary plan. Last year, the Northwoods at Lakeline preliminary plan, case C8-07-0043, was submitted as a revision to the original preliminary plan. All review comments have been cleared on the Northwoods at Lakeline preliminary plan, but it still needs to be approved by Planning Commission. However, approval of the preliminary plan is pending Leander Rehab PUD Amendment #6 approval. The proposed allocation of impervious cover table will be located on the Northwoods at Lakeline preliminary plan.

Staff response:

1. Please provide an impervious cover tracking mechanism that Watershed Protection and Development Review Department (WPDRD) approves.
2. Why shouldn't this go before the EV Board for a courtesy review?

### **Site Plan**

No comments received.

### **Subdivision**

The 35' OSE (Open Space Easement) and 25' set back line should continue along Lindhurst right-of-way up (and following right-of-way) through to Avery Ranch (as shown on the existing portion of Lindhurst and last approved plan). This trail OSE and set back has been in every plan since this PUD was originally approved.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Transportation**

The site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".

### **Water Quality**

This project is located at NFM 620 RD and is within the South Brushy Creek watershed(s), which are classified as Suburban Watershed. This project is located within the Edwards Aquifer Contributing Zone.

### **Water and Wastewater**

The landowner intends to serve the site and each lot with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



**ARMBRUST & BROWN, L.L.P.**

ATTORNEYS AND COUNSELORS

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February 19, 2008

Sherri Sirwaitis  
City of Austin  
Neighborhood Planning and Zoning Department  
505 Barton Springs, 5th Floor  
Austin, Texas 78704

Re: Leander Rehabilitation PUD Amendment #6 (C814-97-0001.05)

Dear Sherri:

Attached are three copies of the revised land use plan and Exhibit E.1 for the Leander Rehabilitation PUD amendment. The PUD amendments being requested are applicable only to areas CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16. The information below outlines the PUD amendments being requested and reasons for them.

1. **Land Use Plan** – Decrease the open space easement along Lakeline Boulevard from 35 feet to 20 feet to create a more urban designed roadway near the TOD station. This reduction was suggested by City staff.
2. **Exhibit E.1, Table** - Increase the impervious cover for the “All Other Residential” category of the PUD from 45 to 65 percent. This amendment is being requested in order to incorporate planning principles for “New Urbanist” residences, which include lot and building layouts that were not contemplated within the original PUD.

Although the impervious cover will increase for the “All Other Residential” category, the overall proposed impervious cover of 58 percent is lower than the PUD’s allowed impervious cover of approximately 65 to 75 percent for the mixed use, commercial, and office categories, which could be constructed on any portion of the site. This revision was previously reviewed and approved by the State of Texas’ General Land Office in November 2006. However, it was never ratified by the City.

3. **Exhibit E.1, Table** - Allow single family residences to be constructed with SF-4 and SF-5 site development regulations. This amendment is being requested in order to incorporate planning principles for “New Urbanist” residences, which include lot and building layouts that were not contemplated within the original PUD.

These are categories allowed within the City's current code, but were not contemplated as part of the PUD when originally approved in 1998. This revision was also previously reviewed and approved by the State of Texas' General Land Office in November 2006. However, as stated in Item 2 above, it was never ratified by the City.

4. **Exhibit E.1, Note #4** - Allow for the site to have the flexibility to allocate higher impervious cover to some lots and lower impervious cover to other lots. This amendment is being requested for various reasons. First, the site is in close proximity to the Northwest Park and Ride Facility. Typically, higher density development is located closest to the TOD station, while less dense development is located further away. Second, there are several "New Urbanist" building types proposed, including Paseo Courts and Green Courts. These product types subdivide attached residences around a large, platted community green space. The attached residences have a higher impervious cover because there are small yard spaces. However, this is offset since individual yards are turned into a large, platted, community green space, which serves all of the attached residences.

The overall proposed impervious cover of 58 percent is lower than the PUD's allowed impervious cover of approximately 65 to 75 percent using other permitted uses. Attached is a copy of the impervious cover allocation table that is proposed to be included on the preliminary plan.

5. **Exhibit E.1, Note #5** - Clarify how live-work units and multiple use buildings fit into the framework of the PUD. TOD's and Traditional Neighborhood Design's (TND) typically include live-work units. However, they were not contemplated as part of the PUD when originally approved in 1998.
6. **Exhibit E.1, Notes #6 and #7** - Clarify how single family and townhouse lots fit into the framework of the PUD. TOD's and Traditional Neighborhood Design's (TND) typically include a more urban style of single family and townhouse lots. However, they were not contemplated as part of the PUD when originally approved in 1998.
7. **Exhibit E.1, Notes #6 and #7** - Decrease setback standards for single family and townhouse lots, so that they may be accessed utilizing alleys that will reduce the number of driveways onto the adjacent streets. Many of the "New Urbanist" single family residential products are alley accessed, so that resident's vehicles are not parked in the front yard. Detached garages are placed directly behind the home and near to the alley, so that residents are encouraged to park within the garage, and not within driveways or on the street.
8. **Exhibit E.1, Note #8** - Clarify that roadways may be designed with TND standards, with modifications to Staked Plains Drive. The existing PUD already

**ARMBRUST & BROWN, L.L.P.**

Page 3

states that TND site development standards may be used. However, it did not specifically address TND roadway standards.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,



Lynn Ann Carley, P.E.

Senior Land Development Consultant

cc: Greg Guernsey  
Jerry Rusthoven  
David Armbrust  
Steven Levenson  
Steve Shanks  
Syd Xinos



## LEANDER REHABILITATION SITE

DATE PLOTTED: 02/13/08  
FILE: c:\p05057\p05057.dwg  
DRAWN BY: AC  
DESIGNED BY: SCS  
REVIEWED BY: SCS  
PROJECT NO: 1633-05

CASE NUMBER: C814-97-000

**LAWSON, Paul**

LEANDER REHABILITATION  
PUD DISTRICT  
446. 4 AC.

POTENTIAL LOCATION FOR ON SITE  
REGIONAL DETENTION FACILITY

- FUND CAPITAL 10000

100

1-800-441-4444

**© 2006 JACOBS**

11/13/2007

LEAN

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STAINES UNPROVED

100

557



10



19

Figure 1. The effect of the concentration of the inhibitor on the rate of polymerization of the monomer.

10

IMPERVIOUS COVER ALLOCATION BY LAND USE

| P.U.D. DESIGNATION<br>LAND USE | PRELIMINARY PLAN           |          |            | ALLOWED PER P.U.D.<br>NET SITE AREA |                           | PROPOSED PER PLAN<br>NET SITE AREA |                           |
|--------------------------------|----------------------------|----------|------------|-------------------------------------|---------------------------|------------------------------------|---------------------------|
|                                | PRODUCT TYPE               | NO. LOTS | AREA (Ac.) | IMPERVIOUS<br>COVER %               | IMPERVIOUS<br>COVER (Ac.) | IMPERVIOUS<br>COVER %              | IMPERVIOUS<br>COVER (Ac.) |
| MIXED USE                      | MIXED USE LIVE-WORK HOMES  | 77       | 2.49       | 65%                                 | 1.62                      | 96%                                | 2.39                      |
| MIXED USE                      | SINGLE FAMILY TOWNHOMES    | 285      | 11.36      | 65%                                 | 7.38                      | 96%                                | 10.91                     |
| MIXED USE                      | SINGLE FAMILY GREEN COURT  | 39       | 2.04       | 65%                                 | 1.33                      | 77%                                | 1.57                      |
| MIXED USE                      | SINGLE FAMILY PASEO COURT  | 151      | 6.46       | 65%                                 | 4.20                      | 77%                                | 4.97                      |
| ALL OTHER RESIDENTIAL          | SINGLE FAMILY SMALL LOT    | 197      | 19.15      | 65%                                 | 12.45                     | 66%                                | 13.02                     |
| ALL OTHER RESIDENTIAL          | SINGLE FAMILY STANDARD LOT | 241      | 34.32      | 65%                                 | 22.31                     | 68%                                | 23.34                     |
| N/A                            | ACCESS LOT - EASEMENT      | 7        | 0.21       | 65%                                 | 0.14                      | 55%                                | 0.12                      |
| N/A                            | COMMON COURTYARD - ESMT.   | 15       | 4.44       | 65%                                 | 2.89                      | 65%                                | 2.89                      |
| O.S.E. - OPEN SPACE EASEMENT   | OPEN SPACE - PARK          | 3        | 11.37      | 65%                                 | 7.39                      | 25%                                | 2.84                      |
| O.S.R. - OPEN SPACE RESERVE    | OPEN SPACE - PRESERVE      | 4        | 9.67       | 65%                                 | 6.42                      | 10%                                | 0.99                      |
| O.S.E. - OPEN SPACE EASEMENT   | OPEN SPACE - DRNG.         | 52       | 23.03      | 65%                                 | 14.97                     | 10%                                | 2.30                      |
| COMMERCIAL                     | COMMERCIAL CENTER          | 1        | 6.65       | 75%                                 | 5.14                      | 75%                                | 5.14                      |
| N/A                            | STREET RIGHT-OF-WAY        | -        | 39.55      | 65%                                 | 25.71                     | 70%                                | 27.69                     |
| N/A                            | ALLEY RIGHT-OF-WAY         | -        | 6.49       | 65%                                 | 4.22                      | 75%                                | 4.87                      |
| TOTALS                         |                            | 1,082    | 177.63     | 65.39%                              | 116.14                    | 58.00%                             | 103.02                    |

NOTES:

- For CRE's 1, 2, 3, 5, 10, 11, 12 and 16, the maximum allowable impervious cover may be calculated on an overall basis instead of on an individual lot basis. However, the overall allowed maximum impervious cover shall not exceed those limits shown in Exhibit E of the Leander Rehabilitation PUD as administratively amended by the Texas General Land Office, dated November 20, 2008, and the impervious cover for this area shall be allocated through the Preliminary Plan or Final Plat process.
- The calculations on this table represent only those areas included within the Northwoods at Lakeline Preliminary Plan and do not include any off-site areas.



**EXHIBIT E.1**

( Applicable only to CRE areas 1, 2, 3, 5, 10, 11, 12, and 16 )

**This Development Standards table and notes 1, 2, and 3 below are reproduced from Exhibit E of the Leander Rehabilitation PUD as administratively approved by the Texas General Land Office on November 20, 2006.****DEVELOPMENT STANDARDS**

|                                | COMMERCIAL                               | INDUSTRIAL | OFFICE                    | MULTI-FAM<br>RESIDENTIAL | ALL OTHER<br>RESIDENTIAL | MIXED<br>USE              | SF-4               | SF-5               |
|--------------------------------|--|------------|---------------------------|--------------------------|--------------------------|---------------------------|--------------------|--------------------|
| Density                        | N/A                                      | N/A        | N/A                       | 54 du/s/ac               | 18 du/s/ac               | 54 du/s/ac                | 18 du/s/ac         | 18 du/s/ac         |
| YARDS                          |  |            |                           |                          |                          |                           |                    |                    |
| Front                          | 0'                                       | 10'        | 0'                        | 10' (1)                  | 10'                      | 0'                        | 15'                | 25'                |
| Side                           | 0'                                       | 10'        | 0'                        | 10' (1)                  | 0' / 5' (2)              | 0'                        | 3.5' or 0'         | 5'                 |
| Street Side                    | 12'                                      | 25'        | 25'                       | 10' (1)                  | 10'                      | 5'                        | 10'                | 15'                |
| Rear                           | 0'                                       | 25'        | 20'                       | 10' (1)                  | 15'                      | 10'                       | 5'                 | 10'                |
| Height (3)                     | 6 stories                                | 4 stories  | 12 stories<br>or 180 feet | 6 stories                | 3 stories                | 12 stories<br>or 180 feet | 3 stories /<br>35' | 3 stories /<br>35' |
| Maximum<br>Impervious<br>Cover | 75% - 1 story<br>65% - 2 to 6<br>stories | 65%        | 65%                       | 60%                      | 65%                      | 65%                       | 65%                | 55%                |

(1) Between any structure, or group of connected structures containing multi-family residential and the respective lot line.

(2) Zero side setback required for attached single-family units.

(3) In this ordinance the height of a story will vary depending on the use. For purposes of calculating height, roofs, mechanical equipment, cooling towers, ornamental cupolas or domes, skylights, visual screens, chimneys and vent stacks, communication towers, parapet walls and other similar structures are not included. Story height will be defined by the national standards for uses on the following, as amended:

Residential uses: 12 feet - 15 feet or as set forth by National Association of Home Builders

Commercial uses: 20 feet - 25 feet or as set forth by National Association of Shopping Centers

Industrial uses: 30 feet - 40 feet or as set forth by National Association of Industrial and Office Property

Mixed uses: 14 feet - 20 feet or as set forth by Urban Land Institute

Office uses: 14 feet - 18 feet or as set forth by Building Owners and Managers Association International

(4) The maximum allowable impervious cover may be calculated on an overall basis instead of on an individual lot basis. However, the overall maximum impervious cover shall not exceed those limits shown in Exhibit E and the impervious cover for this area shall be tracked through the Preliminary Plan or Final Plat process(es).

(5) Townhouse or multi-family structures proposing more than one use on a single lot may be considered Mixed Use for the purpose of identifying their development standards classification on Exhibit E. These uses shall be restricted to areas fronting on Staked Plains Drive south of Buckingham Palace Drive.

(6) Single family and townhouse lots containing detached single family townhouse or multi-family structures with proposed lot widths of less than 40 feet may be considered Mixed-Use for the purpose of identifying their development standards classification on Exhibit E. If the Mixed-Use guidelines from Exhibit E are utilized, the following modifications to those standards apply:

- These lots shall have garages with driveway access allowed from an alley in the rear only.
- The minimum rear setback line shall be three feet.
- Lots with an open space at least 10 feet wide between their side lot lines and a public roadway will be considered interior lots.
- Building height is restricted to three stories.
- Attached residential units shall not exceed a maximum grouping or run of 10 lots without an open space, pedestrian access, or public street or alley between them. A minimum grouping of two lots is required. A minimum grouping of one lot shall be allowed in cases where site constraints, environmental factors, or developer's desire to preserve natural elements dictates. For each grouping reduced to one lot, the developer may add one additional same type lot to another grouping not to exceed eleven lots in any single group.
- Side yard setbacks for attached structures shall be zero feet.
- Side yard setbacks for single family detached structures shall have a minimum six foot aggregate between occupied structures. Zero foot setbacks will be allowed between garage structures.

(7) Single family and townhouse lots containing detached structures with proposed lot widths equal to or greater than 40 feet may be considered All Other Residential for the purpose of identifying their development standards classification on Exhibit E. The following modifications to those standards apply:

- These lots shall be allowed driveway access from a public street in the front or an alley in the rear.
- Those lots with rear access from an alley shall have minimum rear setback lines of five feet.
- Interior lot sideyard setbacks will be a minimum aggregate of six feet between occupied structures with minimum of zero feet allowed on one side of occupied structure. Zero feet setback will be allowed between garage structures.

(8) All streets may be developed according to the TND Design Standards with modifications to Staked Plains Drive, as shown on the attached cross-sections.



**ARMBRUST & BROWN, L.L.P.**

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February 29, 2008

**VIA HAND DELIVERY**

Mr. Greg Guernsey  
City of Austin  
Watershed Protection and Development Review Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78701

Re: Leander Rehabilitation PUD Amendment #6 - C814-97-0001.05 (the  
"Application")

Dear Mr. Guernsey:

This firm represents and this letter is submitted on behalf of Pacific Summit Partners, LLC, the Applicant and Owner in the above referenced Application. The purpose of this letter is to state the Owner's intent to include green building and water conservation methods within the portion of the PUD owned by the Applicant. The portion of the Leander Rehabilitation PUD owned by the Applicant is designated as CRE areas 1, 2, 3, 5, 10, 11, 12, and 16 (the "Property"), according to the land use plan.

**GREEN BUILDING**

The Property will achieve a two-star rating, as set forth in Austin Energy's Green Building Program, regardless of whether all or a portion of the site is within the Austin Energy service area. In recognition that green building is likely to change during the course of the development of the Property, the Owner and applicable staff from the energy provider may jointly agree upon other methodology to achieve a two-star rating. As part of the two-star rating, the following items or their equivalent shall be included.

For commercial structures/areas:

1. Attempt to mitigate "heat island" effect through one of the following or an equivalent:
  - a. Open grid paving (less than 50% net impervious) for 50% of parking area



- b. Locate at least 50% of parking underground or in structured parking
  - c. Use high albedo materials on at least 30% of non-roof surfaces
  - d. Vegetative shading of at least 30% of non-roof impervious surfaces within 5 years
2. Utilize Texas sourced materials for at least 30% (\$ value) of project building materials for the commercial areas within the project, inclusive of site and infrastructure construction
  3. Provide a more energy efficient building through the use of one of the following:
    - a. Install high albedo roof with a solar reflectance of 75% (<2:12 pitch) or 45% (≥2:12 pitch) for 90% of roof area
    - b. Install a vegetative roof for 50% of roof area
    - c. Install a combination of high albedo/vegetative roof for 75% of roof area

For commercial and residential structures/areas utilize materials and standards or an equivalent designed to:

4. Reduce building energy usage compared to City of Austin Energy Code requirements by at least 25%.
5. Implement integrated pest management (IPM) plan to minimize environmental impact and use least toxic practices for site and building management.
6. Reduce outdoor water usage by 50% from current baseline averages.
7. Reduce indoor water usage by 25% from current baseline averages.

## **WATER CONSERVATION**

On August 24, 2006, the City of Austin Council passed Resolution No. 20060824-061 that created a task force with the goal of drafting a policy document consisting of strategies and implementation plans for reducing peak water use by 1% per year for ten (10) years. The Owner has recognized this future policy and has committed to implement the following strategies immediately.

1. Prohibit inefficient plumbing fixtures
2. Establish efficiency requirements for cooling tower management
3. Establish efficiency standard for commercial clothes washers
4. Limit frequency, timing, and method of outdoor watering

5. Require new residential irrigation systems to meet design standards and permitting requirements
6. Require homebuilders to offer a "WaterWise" landscape option
7. Require analysis of automatic irrigation systems
8. Require water audits for high-volume residential customers
9. Native and/or naturalized plants for landscaping in commercial areas

In addition, the Owner agrees to implement the following water conservation strategies as long as the City Council adopts them citywide within 18 months of approval of the Lakeline Station PUD.

1. Require additional design requirements for commercial irrigation systems and landscapes.
2. Establish soil depth requirements for new landscapes.

Upon review of the Application by the City Council, the Owner intends to execute and submit a restrictive covenant that includes the foregoing in the form of the restrictive covenant for Lakeline Station, which was approved by the City and has been recorded in the Real Property Records.

If you have any questions or need additional information, please feel free to contact me at (512) 435-2301 or Lynn Ann Carley at (512) 435-2378.

Sincerely,



David B. Armbrust

cc: Matt Watson, Mayor's Office  
Tom Nuckols  
Jerry Rusthoven  
Sherri Sirwaitis  
Steve Levenson  
Lynn Ann Carley